

**PROPOSED AMENDMENTS TO
REGULATION XIII - *NEW SOURCE REVIEW*
INITIAL STUDY
(ENVIRONMENTAL ASSESSMENT)**

INTRODUCTION

The Antelope Valley Air Pollution Control District (AVAPCD) is the agency responsible for the control of air pollution from non-vehicular sources within the Los Angeles County portion of the Mojave Desert Air Basin (MDAB) (Health & Safety Code §§39002, 40000). In this role the AVAPCD is responsible for developing and enforcing air quality rules and regulations to control such pollution. The District is proposing amendments to Regulation XIII - *New Source Review* to reorganize and restructure the regulation for clarity, consistency and standardization. The proposed amendments will conform the threshold levels for various types of review, offset ratios and other requirements to be consistent with the requirements for Severe-17 ozone non-attainment areas under the Federal Clean Air Act (FCAA). The proposed amendments will retain current compliance with the preconstruction review requirements for non-attainment areas contained in the California Clean Air Act (CCAA). There are no anticipated adverse environmental impacts from the proposed amendments since all changes to the current thresholds, offset ratios, calculations and other requirements provide equivalent protection of both air quality and the environment as is provided by those currently contained in the regulation.

BACKGROUND

On July 1, 1997 the AVAPCD assumed all air pollution control responsibilities from the South Coast Air Quality Management District (SCAQMD) in the Los Angeles County portion of the MDAB (Health & Safety Code §40106). Health & Safety Code §40106(e) provides that the rules and regulations of SCAQMD remain in effect within the AVAPCD until the Governing Board adopts rules and regulations which supercede them. Thus, the currently effective Regulation XIII - *New Source Review* for the AVAPCD is the versions of these rules effective within SCAQMD on July 1, 1997.

Once adopted by the Governing Board, the proposed amendments to Regulation XIII - *New Source Review* will completely reorganize and restructure the regulation into a streamlined format. The Regulation will be reorganized from its current thirteen (13) rules into eight (8) rules. The current rule thresholds, offset ratios and other requirements provided the FCAA requisite total emission reductions in the aggregate across the entire jurisdiction of SCAQMD. The proposed amendments will return the thresholds and offset ratios to compliance with the FCAA requirements on a source by source, modification by modification basis. Definitions, terminology and procedures will also be modified to accommodate the reorganization and to reflect current AVAPCD practices and procedures. Further modifications have been added to allow the full integration of the Toxic New Source Review Program (See AVAPCD Rules 1401 and 1402) into the general New Source Review analysis structure.

REGULATORY SETTING

FEDERAL PROGRAM: THE FEDERAL CLEAN AIR ACT (FCAA)

The FCAA requires each state to establish a plan to attain and maintain the National Ambient Air Quality Standards (NAAQS) in each air quality control region within the state. The FCAA requires, as a part of the State Implementation Plan (SIP), the adoption and approval of a preconstruction review program for all new or modified stationary sources of air pollution in areas which have been designated non-attainment for any of the NAAQS (42 U.S.C. §7502(c)(5), FCAA §172(c)(5)). The FCAA also requires that areas designated non-attainment for ozone contain special preconstruction review requirements dependant upon the classification of the severity of the air pollution problem in that particular area (42 U.S.C. §7511a; FCAA §182). These preconstruction review programs are commonly referred to as "New Source Review".

The portion of the Mojave Desert Air Basin located within Los Angeles County has been designated Federal non-attainment for ozone (40 CFR 81.305) and classified as Severe-17. Therefore, the AVAPCD is required to have a New Source Review program which meets the requirements of the FCAA and the regulations promulgated thereunder. The SCAQMD, the predecessor agency to the AVAPCD, adopted and submitted a New Source Review Program in the form of Regulation XIII as a portion of the California SIP. USEPA approved the 1996 and 1997 amendments to the program into the SIP at 40 CFR 52.220(c)(240)(i)(A)(1) (12/04/96, 61 FR 64291). Thus, the current New Source Review program for the AVAPCD is this approved program.

STATE PROGRAM: THE CALIFORNIA CLEAN AIR ACT (CCAA)

The California Clean Air Act (Health & Safety Code §§39000 et seq.) requires that districts designated nonattainment for any of the State Ambient Air Quality Standards (SAAQS) develop and implement a preconstruction review permitting program for major stationary sources of air pollution (Health & Safety Code §40918(a)). The Health & Safety Code also requires the use of Best Available Control Technology (BACT) on all new or modified stationary sources of air pollution which emit or have the potential to emit over 25 pounds per day or more of any non-attainment pollutant or its precursors (Health & Safety Code §40918(a)(1)).

The Los Angeles county portion of the MDAB, which comprises the jurisdiction of the AVAPCD, is designated nonattainment of the SAAQS for ozone and PM₁₀ (17 Cal. Code Regs. §§60201, 60205). Thus, the AVAPCD is required to have a New Source Review program which meets the requirements of the CCAA. The currently effective version of Regulation XIII - *New Source Review* meets these requirements.

PROJECT DESCRIPTION

The proposed amendments to Regulation XIII - *New Source Review* reorganize and restructure the regulation for clarity, consistency and standardization. The proposed amendments conform the threshold, offset ratios and other requirements to be consistent with the requirements for Severe-17 ozone non-attainment areas under the Federal Clean Air Act. The reorganization and amendments are proposed as follows:

Proposed Rule 1300 – General

This rule will discuss the purpose, applicability and compliance requirements of Regulation XIII. These provisions have been moved from current Rule 1301. It also provides several minor exemptions which have been moved from current Rule 1313. A new section regarding the interaction between Regulation XIII and other AVAPCD rules and a variety of other Federal requirements has been added for clarity.

Proposed Rule 1301 – Definitions

This rule sets forth the Definitions for terms which are utilized in the regulation. The majority of the terms have been moved from current Rule 1302. Terms have been modified to reflect the jurisdiction of the AVAPCD. Several terms have been added to reflect procedural changes caused by the reorganization and current AVAPCD standard practices. The terms “Best Available Control Technology” and “Major Facility” have been modified to reflect the shift from the aggregate compliance with the FCAA to a source by source and modification by modification compliance strategy.

Proposed Rule 1302 – Procedure

This rule will codify the current administrative procedures used within the AVAPCD to process applications for permits. Provisions have been added to integrate the Toxic New Source Review program into the general New Source Review procedures. Any procedural items contained in the current rules have been moved to this rule.

Proposed Rule 1303 – Requirements

This rule sets forth the trigger levels and requirements for the application of Best Available Control Technology and offsetting emissions reductions. Provisions relating to areas outside the jurisdiction of the AVAPCD have been removed. Offset thresholds have been shifted to reflect the Severe-17 ozone non-attainment status of the AVAPCD and to reflect the shift from an aggregate compliance with the FCAA to a source by source, modification by modification compliance strategy.

Proposed Rule 1304 – Emissions Calculations

This rule sets forth the calculations used to determine emissions increases and decreases for proposed new or modified sources of air pollution. Calculations are essentially the same as those found in current Rule 1306. The use of existing Potential to Emit as a substitute for Historic Actual Emissions will be changed to limit its use to equipment which has undergone a prior new source review action as opposed to its current ability to be used for any existing equipment.

Proposed Rule 1305 – Emissions Offsets

This rule sets forth the calculations and procedures used to determine the amount of offsets necessary for a new or modified source. It will also be used to determine the eligibility for use of offsets. The offset ratio will be modified to reflect the Severe-17 ozone non-attainment status of the AVAPCD and to reflect the shift from an aggregate compliance with the FCAA to a source by source, modification by modification compliance strategy.

Rule 1306 – Electric Energy Generating Facilities

This rule presents the requirements which are peculiar to electrical generating facility applications which are also required to obtain permits from the California Energy Commission.

Current Rules 1307 and 1308 are “placeholder” rules with no provisions. They will be removed from the regulation as unnecessary.

Rule 1309 – Emission Reduction Credits

This rule sets up the Emission Reduction Credit (ERC) Bank, implements the banking system and sets forth the procedures to be used to bank ERCs.

Current Rule 1309.1 will be removed from the regulation as unnecessary.

Current Rule 1310 will be removed from the regulation. Its provisions will be moved to proposed Rules 1302 and 1309.

Current Rules 1311 and 1312 are “placeholder” rules with no provisions. They will be removed from the regulation as unnecessary.

Current Rule 1313 will be removed from the regulation. Its provisions will be moved to proposed Rules 1300 and 1302.

CONTROL METHODOLOGIES

Regulation XIII – New Source Review is primarily a procedural rule and does not prescribe specific control measures to be utilized on all new or modified sources of air pollution. However, the regulation does require the imposition of Best Available Control Technology on sources which emit or have the potential to emit over 25 pounds per day of any non-attainment air pollutant. BACT is a case by case determination and is highly specific to the particular emitting equipment. BACT determinations will continue to be made as in the current regulation.

ENVIRONMENTAL CHECKLIST FORM

BACKGROUND

1. **Name of Proponent:** Antelope Valley Air Pollution Control District
2. **Address and Phone Number of Proponent:** 43301 Division St., Suite 206
P.O. Box 4038
Lancaster, CA 93539-4038
(661) 723-8070
(760) 245-1661
3. **Date of Checklist Submitted:** August 14, 2000
4. **Agency Requiring Checklist:** AVAPCD
5. **Project Description:** Adoption of Amendments to Regulation XIII – New Source Review

ASSESSMENT OF ENVIRONMENTAL IMPACTS

(Explanations of all "yes" and "maybe" answers will follow items).

	Yes	Maybe	No
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	_____	_____	<u>XX</u>
b. Disruptions, displacements, compaction, or overcovering of the soil?	_____	_____	<u>XX</u>
c. Change in topography or ground surface relief features?	_____	_____	<u>XX</u>
d. The destruction, covering or modification of any unique geologic or physical features?	_____	_____	<u>XX</u>
e. Any increase in wind or water erosion of soils, either on or off the site?	_____	_____	<u>XX</u>

		Yes	Maybe	No
f.	Changes in deposition or erosion of beach sands, or changes in siltation, deposition, or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake?	_____	_____	<u>XX</u>
g.	Exposure of people or property to geologic hazards such as earthquakes, landslides, mud slides, ground failure, or similar hazards?	_____	_____	<u>XX</u>

EXPLANATION OF EARTH “NO” ANSWERS:

There are no provisions in the proposed amendments which call for the disruption of soil, changes in topography or surface relief features, the erosion of beach sand or a change in existing siltation rates. In addition, the proposed amendments will not expose people or property to geological hazards such as earthquakes, landslides, mud slides ground failure or other natural hazards.

		Yes	Maybe	No
2.	Air. Will the proposal result in:			
a.	Substantial air emissions or deterioration of ambient air quality?	_____	_____	<u>XX</u>
b.	The creation of objectionable odors?	_____	_____	<u>XX</u>
c.	Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	_____	_____	<u>XX</u>

EXPLANATION OF AIR QUALITY “NO” ANSWERS:

The FCAA requirements for SCAQMD, the predecessor of the AVAPCD within the Los Angeles County portion of the MDAB, required a 1.5 to 1 external and 1.3 to 1 internal offset ratio for major sources of Volatile Organic Compounds (VOC) and Oxides of Nitrogen (NOx) within the South Coast Air Basin (SCAB) and a 1.3 to 1 offset ratio for major sources of VOC and NOx within the MDAB and Salton Sea Air Basin (MDAB and SSAB were collectively formerly the Southeast Desert Air Basin). The current version of Regulation XIII – New Source Review as approved in the SIP requires all new or modified stationary sources of air pollution to impose the Lowest Achievable Emissions Rate (LAER)

on all new or modified equipment and to provide offsets for any emission increases at a ratio of 1.2 to 1. Offsets were provided for by the SCAQMD community bank for emissions increases under four (4) tons per year, certain small businesses, certain small internal combustion engines, and the differential between LAER and BACT for certain small sources. This methodology was found by USEPA in its approval documentation to be equivalent on an aggregate basis to the FCAA requirements for the SCAB, MDAB and SSAB within the SCAQMD.

The AVAPCD does not contain any territory within the SCAB and does not have any community bank emissions to continue the SCAQMD methodology. Therefore, the AVAPCD will be unable to meet the FCAA requirements on an aggregate basis. Since the compliance on an aggregate basis has been found to be equivalent to the total emissions reductions required by the Federal Clean Air Act, returning to the original FCAA requirements for a Severe - 17 ozone non-attainment area will engender no change in air quality. Thus, the proposed amendments will require LAER equivalent on all new or modified equipment at major sources of VOC and NOx and to provide offsets for any emissions increases at a ratio of 1.3 to 1 (See 42 U.S.C. §7511a(d); FCAA §182(d)). The Regulation will continue to require BACT on any new or modified sources which emit over 25 pounds per day of non-attainment air pollutants as well as continue its major source threshold levels to be consistent with the State non-attainment designations for the AVAPCD.

Calculations for determining threshold levels; emissions increases and decreases; amount of offsets necessary; and emission reduction credit amounts remain essentially the same as those in the current regulation. The use of existing Potential to Emit as a substitute for Historic Actual Emissions in emission increase/decrease calculations will be changed to limit its use only to equipment which has undergone a prior new source review action rather than its current ability to be used by any existing emission unit.

		Yes	Maybe	No
3.	Water. Will the proposal result in:			
a.	Changes in currents, or the course of direction of water movements, in either marine or fresh waters?	_____	_____	<u>XX</u>
b.	Changes in absorption rates drainage patterns, or the rate and amount of surface runoff?	_____	_____	<u>XX</u>
c.	Alterations to the course or low of flood waters?	_____	_____	<u>XX</u>
d.	Change in the amount of surface water in any water body?	_____	_____	<u>XX</u>

		Yes	Maybe	No
e.	Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	<u>XX</u>
f.	Alteration of the direction or rate of flow of ground waters?	_____	_____	<u>XX</u>
g.	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	_____	_____	<u>XX</u>
h.	Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<u>XX</u>
i.	Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<u>XX</u>

EXPLANATION OF WATER “NO” ANSWERS:

There are no provisions in the proposed amendments which have an adverse impact on water. The requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on water remain exactly the same as those posed by the current regulation.

		Yes	Maybe	No
4.	Plant Life. Will the proposal result in:			
a.	Change in the diversity of species, or number or any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	_____	_____	<u>XX</u>
b.	Reduction of the numbers of any unique, rare or endangered species of plants?	_____	_____	<u>XX</u>

	Yes	Maybe	No
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	_____	_____	<u>XX</u>
d. Reduction in acreage of any agricultural crop?	_____	_____	<u>XX</u>

EXPLANATION OF PLANT LIFE “NO” ANSWERS:

The proposed amendments to the regulation will not have an adverse impact on plant life. The requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on plant life remain exactly the same as those posed by the current regulation.

5. Animal Life. Will the proposal result in:	Yes	Maybe	No
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	_____	_____	<u>XX</u>
b. Reduction of the numbers of any unique, rare, or endangered species of animals?	_____	_____	<u>XX</u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	_____	_____	<u>XX</u>
d. Deterioration to existing fish or wildlife habitat?	_____	_____	<u>XX</u>

EXPLANATION OF ANIMAL LIFE “NO” ANSWERS:

The proposed amendments to the regulation will not have an adverse impact on animal life. The requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on animal life remain exactly the same as those posed by the current regulation.

		Yes	Maybe	No
6.	Noise. Will the proposal result in:			
a.	Increases in existing noise levels?	_____	_____	<u>XX</u>
b.	Exposure of people to severe noise levels?	_____	_____	<u>XX</u>

EXPLANATION OF NOISE “NO” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on noise levels because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on noise remain exactly the same as those posed by the current regulation.

		Yes	Maybe	No
7.	Light and Glare. Will the proposal produce new light or glare?	_____	_____	<u>XX</u>

EXPLANATION OF LIGHT AND GLARE “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on light and glare because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on light and glare remain exactly the same as those posed by the current regulation.

		Yes	Maybe	No
8.	Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?	_____	_____	<u>XX</u>

EXPLANATION OF LAND USE “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on land use because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on land use remain exactly the same as those posed by the current regulation.

- | | Yes | Maybe | No |
|---|------------|--------------|-----------------|
| | _____ | _____ | _____ <u>XX</u> |
| 9. Natural Resources. Will the proposal result in an increase in the rate of use of any natural resources? | | | |

EXPLANATION OF NATURAL RESOURCES “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on natural resources. The requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on natural resources remain exactly the same as those posed by the current regulation.

- | | Yes | Maybe | No |
|--|------------|--------------|-----------------|
| | _____ | _____ | _____ <u>XX</u> |
| 10. Risk of Upset. Will the proposal involve: | | | |
| a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or upset conditions)? | | | |
| b. Possible interference with an emergency response plan or an emergency evacuation plan? | | | |

EXPLANATION OF RISK OF UPSET “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on the risk of upset. The requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on risk of upset remain exactly the same as those posed by the current regulation.

- | | Yes | Maybe | No |
|--|------------|--------------|-----------------|
| | _____ | _____ | _____ <u>XX</u> |
| 11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area? | | | |

EXPLANATION OF POPULATION “NO” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on population because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on population remain exactly the same as those posed by the current regulation.

Yes	Maybe	No
_____	_____	_____

- | | | | | |
|-----|--|-------|-------|-----------|
| 12. | Housing. Will the proposal alter or affect existing housing, or create a demand for additional housing? | _____ | _____ | <u>XX</u> |
|-----|--|-------|-------|-----------|

EXPLANATION OF HOUSING “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on housing because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on housing remain exactly the same as those posed by the current regulation.

- | | | Yes | Maybe | No |
|-----|--|-------|-------|-----------|
| 13. | Transportation/Circulation. Will the proposal result in: | | | |
| a. | Generation of substantial additional vehicular movement? | _____ | _____ | <u>XX</u> |
| b. | Effects on existing parking facilities, or demand for new parking? | _____ | _____ | <u>XX</u> |
| c. | Substantial impact upon existing transportation systems? | _____ | _____ | <u>XX</u> |
| d. | Alterations to present patterns of circulation or movement of people and/or goods? | _____ | _____ | <u>XX</u> |
| e. | Alterations to waterborne, rail or air traffic? | _____ | _____ | <u>XX</u> |
| f. | Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | _____ | _____ | <u>XX</u> |

EXPLANATION OF TRANSPORTATION/CIRCULATION “NO” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on transportation or circulation because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on transportation or circulation remain exactly the same as those posed by the current regulation.

		Yes	Maybe	No
14.	Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a.	Fire protection?	_____	_____	<u>XX</u>
b.	Police protection?	_____	_____	<u>XX</u>
c.	Schools?	_____	_____	<u>XX</u>
d.	Parks or other recreational facilities?	_____	_____	<u>XX</u>
e.	Maintenance of public facilities, including roads?	_____	_____	<u>XX</u>
f.	Other governmental services?	_____	_____	<u>XX</u>

EXPLANATION OF PUBLIC SERVICES “NO” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on public services because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on public services remain exactly the same as those posed by the current regulation.

		Yes	Maybe	No
15.	Energy. Will the proposal result in:			
a.	Use of substantial amounts of fuel or energy?	_____	_____	<u>XX</u>
b.	Substantial increase in demand upon existing sources or energy, or require the development of new sources of energy?	_____	_____	<u>XX</u>

EXPLANATION OF ENERGY “No” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on energy use because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on energy use remain exactly the same as those posed by the current regulation.

	Yes	Maybe	No
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities: <u>Electricity, Communications, Natural Gas?</u>	_____	_____	<u>XX</u>

EXPLANATION OF UTILITIES “No” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on utility use because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on utility use remain exactly the same as those posed by the current regulation.

	Yes	Maybe	No
17. Human Health. Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	_____	<u>XX</u>
b. Exposure of people to potential health hazards?	_____	_____	<u>XX</u>

EXPLANATION OF HUMAN HEALTH “No” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on human health. The requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on human health remain exactly the same as those posed by the current regulation.

- | | | Yes | Maybe | No |
|-----|--|-------|-------|-----------|
| | | _____ | _____ | <u>XX</u> |
| 18. | Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? | | | |

EXPLANATION OF AESTHETICS “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on aesthetics because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on aesthetics remain exactly the same as those posed by the current regulation.

- | | | Yes | Maybe | No |
|-----|---|-------|-------|-----------|
| | | _____ | _____ | <u>XX</u> |
| 19. | Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities? | | | |

EXPLANATION OF RECREATION “NO” ANSWER:

The proposed amendments to the regulation will not have any adverse impact on recreation because the proposed amendments do not contribute to increasing urbanization of the AVAPCD. In addition the requirement for placement of BACT or LAER equivalents on new or modified facilities remains the same as in the current regulation, therefore any potential impacts on recreation remain exactly the same as those posed by the current regulation.

- | | | Yes | Maybe | No |
|-----|--|-------|-------|-----------|
| | | _____ | _____ | |
| 20. | Cultural Resources. Will the proposal result in: | | | |
| a. | Alteration of or the destruction of a prehistoric or historic archaeological site? | _____ | _____ | <u>XX</u> |
| b. | Adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? | _____ | _____ | <u>XX</u> |

	Yes	Maybe	No
c. Potential to cause a physical change which would affect unique ethnic cultural values?	_____	_____	<u>XX</u>
d. Restrict existing religious or sacred uses within the potential impact area?	_____	_____	<u>XX</u>

EXPLANATION OF CULTURAL RESOURCES “NO” ANSWERS:

The proposed amendments to the regulation will not have any adverse impact on cultural resources. The impact of the proposed amendments is primarily administrative and only apply to regulated industry’s mode and manner of obtaining a permit from the AVAPCD.

21. **MANDATORY FINDINGS OF SIGNIFICANCE.**

	Yes	Maybe	No
A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	_____	_____	<u>XX</u>

FINDING A - DISCUSSION

The proposed amendments to Regulation XIII - New Source Review do not have the potential to degrade the quality of the environment. The majority of the amendments are administrative in nature and therefore do not have any impact at all on the environment. The shift in major source threshold and offset ratio should be environmentally neutral in that it has been determined by USEPA to be equivalent to the non-standard compliance with the FCAA requirements contained in the current rule. The proposed amendments have no potential to impact fish, plants or other wildlife adversely.

	Yes	Maybe	No
B.	_____	_____	<u>XX</u>
Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).			

FINDING B - DISCUSSION

The proposed amendments to Regulation XIII – New Source Review is not expected to gain advantage for short term uses at the expense of long term environmental productivity. All new or modified sources of air pollution will continue to be required to obtain offsets and apply BACT or LAER equivalent to new or modified equipment. No adverse short term or long term environmental impacts are anticipated.

	Yes	Maybe	No
C.	_____	_____	<u>XX</u>
Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant).			

FINDING C - DISCUSSION

The adoption of amendments to Regulation XIII – New Source Review is not expected to have any adverse environmental impact.

	Yes	Maybe	No
D.	_____	_____	<u>XX</u>
Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			

FINDING D - DISCUSSION

The adoption of amendments to Regulation XIII – New Source Review is not expected to have any adverse environmental impact.

DETERMINATION

On the basis of this initial evaluation:

- XX I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- _____ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because appropriate measures will be implemented to ensure public health and safety. A NEGATIVE DECLARATION WILL BE PREPARED.
- _____ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

(DATE)

(SIGNATURE)

Eldon Heaston
Deputy Air Pollution Control Officer
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